

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
JASPER DIVISION

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U.S. DISTRICT COURT  
N.D. OF ALABAMA

NATHAN HUNTER, )  
Plaintiff )  
vs. ) CASE NO. CV98-J-1601-J  
STATE OF ALABAMA, et al., )  
Defendants )

ENTERED

FEB 26 1999

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on January 20, 1999, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed as frivolous, for failing to state a claim upon which relief can be granted, and for seeking monetary relief from a defendant who is immune from such relief under 28 U.S.C. § 1915A(b). No objections have been filed.<sup>1</sup>

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed as frivolous, for failing to state a claim upon which relief can be granted, and for seeking monetary relief from a defendant who is immune from such relief pursuant to 28 U.S.C. § 1915A(b). A final judgment will be entered.

DONE this 26 day of February, 1999.

Inge P. Johnson  
INGE P. JOHNSON  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> A copy of the report and recommendation, mailed to the petitioner at his last known address, was returned to the clerk with the notation "return to sender - attempted not known - not in this jail." To date, the plaintiff has failed to advise the court of his current address.